

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15553 of John E. Marshall and Lucia S. Hatch, pursuant to 11 DCMR 3108.1, for a special exception under Section 203.11 to establish a home occupation as an office for a home improvement contracting business in an R-1-B District at premises 2704 36th Street, N.W., (Square 1933, Lot 18).

HEARING DATE: September 25, 1991
DECISION DATE: September 25, 1991 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 3C and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission (ANC) 3C. ANC 3C, which is automatically a party to the application, did not submit written issues relative to the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 203.11. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and map and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Maps. It is therefore **ORDERED** that the application is **GRANTED**, **SUBJECT** to the **CONDITION** that the approved home occupation shall comply with the criteria set forth in 11 DCMR 203.4, 203.5 and 203.6.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the Order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0 (Sheri M. Pruitt, Paula L. Jewell, John G. Parsons and Carrie L. Thornhill to **grant**; Charles R. Norris not present, not voting).

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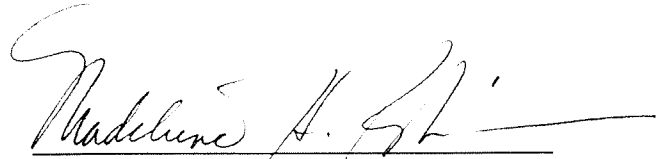


APPLICATION/Appeal NO. 15553

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order in this application/appeal dated 000 21 1991 has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Rosalyn Doggett, Chairperson
Advisory Neighborhood Commission 3-C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

John E. Marshall
2704 36th Street, N.W.
Washington, D.C. 20007


MADELIENE H. ROBINSON
Acting Director

DATE: _____